

Summary of Nevada Conrad 30/J-1 Visa Waiver Program Contract/Employment Agreement Requirements

The Candidate shall demonstrate a bona fide offer of full-time employment at a site located in a designated shortage area.

A copy of the complete contract must be included. The contract must specify the following:

1. The contract developed between the employer and employee must be a binding contract agreement, outlining employer requirements and stipulations, for not less than a three year term. An offer letter or employment agreement will not suffice as a contract. Please refer to the sample contract on the Primary Care Office (PCO) website.
2. Agreement to practice Primary Care (defined as Family Medicine, General Internal Medicine, Pediatrics, Obstetrics/Gynecology, and Psychiatry) or specialty medicine, a minimum of 40 hours per week excluding travel or "on-call" time at the described site. Candidates are advised to also set maximum limits on the number of hours they are contractually obligated to work per week.
 - a. For all Primary Care practitioners and specialists, except OB/GYN providers, at least 32 hours of the minimum 40 hour work week must be spent providing clinical services during normally scheduled clinic hours in the ambulatory care office setting (location specified in the J-1 Visa Waiver Employer/Physician contract and approved by the State). The remaining hours must be spent providing inpatient care to patients of that practice site and/or in practice-related administrative activities.
 - b. For OB/GYN providers, 21 hours of the minimum 40 hour work week must be spent providing clinical services during normally scheduled clinic hours in the ambulatory care office setting (location specified in the J-1 Visa Waiver Employer/Physician contract and approved by the State). The remaining hours must be spent providing inpatient care to patients of that practice site and/or performing practice-related administrative activities, with administrative activities not to exceed 8 hours of the 40 hour work week.
3. The salary for the J-1 Visa Waiver physician specified in the contract shall be equal to, or greater than, the prevailing wage for that area and for physicians of that specialty as reported by the Foreign Labor Certification Center, Department of Labor. The employer shall attach the most current Wage Survey regarding the area and application to the application package.
<http://www.flcdatacenter.com>

The employer shall pay the J-1 Visa Waiver physician the contracted salary on a periodic basis (bi-weekly, monthly), as stipulated in the contract. The employer may not reduce the contracted salary amount agreed upon in the contract.
4. The contract shall include the amount of time off the J-1 Visa Waiver physician shall receive each year for vacation, sick leave and for Continuing Medical Education. The employer shall maintain records to show the amount of time-off requested by the J-1 Visa Waiver physician and the amount of time actually taken.
5. Contracts may not contain a "non-compete" clause that would prohibit the J-1 Visa Waiver physician from beginning a new practice site or working in a practice site in that particular designated shortage area upon completing their three year J-1 Physician Visa Waiver commitment.
6. The contract must identify conditions for termination of the contract, for both the physician and employer. No-cause termination is not allowed.
7. The contract must contain reasonable liquidated damages (suggested to be under \$50,000) in the event that the physician or employer terminates the contract before three years.
8. Agreement to begin employment at the stated practice site within 90 days of receiving a waiver from the Bureau of Citizenship and Immigration Services (BCIS), formerly known as Immigration and Naturalization Service (INS). During the 90 days, the physician must obtain the required licenses from the Nevada State Board of Medical Examiners, the Drug Enforcement Agency, the State Board of Pharmacy, and any other licenses as may be required for the physician to practice medicine in Nevada. The employer/physician will notify the State Health Division of the date the physician commences work at the practice site, using the Verification of Status Form (Attachment C).
9. The contract must include a statement that the physician agrees to meet the requirements set forth in section 214(k) of the Immigration and Nationality Act, 8 USC 1184(k).